

Patient Non-Discrimination and Anti-Harassment Policy

Policy:

The Franklin VNA & Hospice is committed to providing a healthcare environment in which all patients and their family members are treated with respect and dignity. Each individual has the right to receive healthcare in an atmosphere that prohibits discriminatory practices, including harassment. It is required that all relationships between employees of the agency and patients will be free of bias, prejudice, and harassment.

Purpose:

It is the policy of the agency to provide equitable healthcare without discrimination against, or harassment of, any person on the basis of race, color, national origin, language, sex, age, disability, citizenship, marital status, creed, sexual orientation, gender expression or gender identity (the patient's preferred gender will be respected, and the patient will be referred to by their name and pronoun of choice) or other non-medically relevant factor or any other characteristic protected by federal or state law. Any such discrimination or harassment is prohibited and will not be tolerated. This applies to admission, treatment, discharge or other participation in any of the agency's programs, services or activities.

Procedure:

Definition of Harassment

- A. Sexual harassment constitutes discrimination and violation of federal, state, and local laws. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but not limited to: unwanted sexual flirtation, advances or requests for sexual favors; subtle or overt pressure for sexual favors; sexual or racist jokes, innuendoes, advances or propositions; verbal abuse of a sexual nature; commentary about an individual's body, sexual habits, sexual prowess or sexual deficiencies; leering, whistling, touching, pinching, assault or coerced sexual acts; suggestive, insulting or obscene comments or gestures; display or circulation, including through email, of sexually suggestive material, objects or pictures; or other physical, verbal, or visual conduct of a sexual nature.

B. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion towards a patient or their family member because of his/her race, color, religion, sex, gender identity or expression, national origin, age, disability, citizenship, marital status, creed, sexual orientation, or any other characteristic protected by law, or that of his/her relatives, friends or associates, and that (i) has the purpose or effect of creating an intimidating, hostile, or offensive environment; (ii) has the purpose or effect of unreasonably interfering with an individual's dignity; (iii) or otherwise adversely affects an individual's healthcare.

Harassing conduct includes, but is not limited to; epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts, and denigrating jokes. This list is for the purposes of illustration and is not intended to be exhaustive.

Agency Leadership are responsible for doing all they can to ensure that no patient or their family is subject to conduct which constitutes discrimination or harassment. The agency will investigate all allegations of non-compliance and take action as needed.

Availability of Language Assistance Services and Auxiliary Aids and Services:
Franklin VNA & Hospice provides:

- Free aides and services, such as qualified interpreters, to people with disabilities to communicate effectively with agency staff;
- Written information in other formats (large print, audio, other formats);
- Free language services, such as qualified interpreters, to provide people whose language is non-English;
- Information written in other languages.

If you need these services, contact Kristel Mattice, Director of Home Health and Hospice Services, (603) 934-3454 or kmattice@franklinvna.org.

Complaint Procedure:

If any patient, or their representative, believes that the patient or their family has been discriminated against or harassed, they may file a complaint with the Non-Discrimination Coordinator:

Kristel Mattice, Director of Home Health & Hospice Services
Franklin VNA & Hospice
75 Chestnut St
Franklin, NH 03235
Phone: (603) 934-3454
Fax: (603) 934-2222
kmattice@franklinvna.org

You can file a grievance in person or by mail, fax, or email. If you need help filing a grievance, Kristel Mattice, Non-Discrimination Coordinator and Director of Home Health and Hospice Services, is available to help you. You can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights, electronically through the Office for Civil Rights Complaint portal at [U.S. Department of Health & Human Services - Office for Civil Rights \(hhs.gov\)](https://www.hhs.gov/office-for-civil-rights/complaint-portal) or by mail or phone at:

U.S. Department of Health and Human Services
200 Independence Avenue
SW Room 509F HHH Building
Washington, D.C. 20201
(800) 368-1091
(800) 537-7697 (TDD)

Staff who believe they have witnessed discrimination or harassment have an obligation to bring this to the attention of their immediate supervisor, CEO, or HR. The agency urges the prompt reporting of such occurrences. Complaints will be investigated promptly and thoroughly.

Confidentiality will be maintained to the extent permitted by law and consistent with the agency's obligations to investigate complaints and take appropriate corrective action.

Complaints about discrimination and harassment committed by non-employees (for instance, independent contractors or outside vendors) are handled in the same manner. Such complaints will be investigated, and appropriate action will be taken.

Retaliation is Prohibited

Retaliation against an individual who reports discrimination or harassment or provides information relevant to such reports is strictly prohibited and will be treated as a serious violation of this policy.

Policy Interpretation; Compliance with Non-Discrimination Laws and Related Regulations; Amendment

This policy and the guidelines described herein above shall be interpreted in a manner consistent with federal, state and local non-discrimination laws, other guidance and/or administrative regulations issued by the Office for Civil Rights, and other appropriate governmental agencies, and any interpretative case law. Amendments to this policy warranted by changes in the law may occur from time to time. In such cases, individuals shall be advised of any substantive and material amendments to this policy.

Individuals who are not satisfied with an internal resolution of their complaint may file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights, at <https://www.hhs.gov/civil-rights/filing-a-complaint/complaint-process/index.html>.